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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

LISA MCALLISTER, an individual; and

BRANDON SUMMERS, an individual,

Plaintiffs,

vs.

CLARK COUNTY, a political subdivision of
the state of Nevada,

Defendant.

Case No.: 2:24-cv-00334

ORDER TO EXTEND DEADLINE FOR
DISCOVERY DEADLINES
(FIRST REQUEST)

Plaintiffs, LISA MCALLISTER and BRANDON SUMMERS (“Plaintiffs”) and Defendant,
CLARK COUNTY, by their respective counsel, hereby stipulate and agree to extend the Discovery

1 Plan and Scheduling Order an additional **30 days**. This Stipulation is sought in good faith and not for
2 the purposes of delay.

3 Parties hereby stipulate pursuant to Rules 16 and 26 of the Federal Rules of Civil Procedure
4 as follows:

5 **I. STATUS OF DISCOVERY**

6 **A. Plaintiffs' Discovery**

7 1. Plaintiffs' Initial Disclosure of Witnesses and Documents Pursuant to FRCP
8 26.1(a)(1) dated May 20, 2024.

9 2. Plaintiffs' First Supplemental Initial Disclosure of Witnesses and Documents Pursuant
10 to FRCP 26.1(a)(1) dated September 17, 2024.

11 3. Plaintiffs' First Set of Requests for Production to Defendant dated September 25,
12 2024.

13 4. Plaintiffs' First Set of Interrogatories to Defendant dated October 4, 2024.

14 **B. Defendant's Discovery**

15 5. Defendant's Initial Disclosure of Witnesses and Documents Pursuant to FRCP
16 26.1(a)(1) dated September 17, 2024.

17 6. Defendant's Answers to Plaintiffs' First Set of Interrogatories to Defendant dated
18 November 14, 2024.

19 7. Defendant's Responses to Plaintiffs' First Set of Requests for Production to Defendant
20 dated November 14, 2024.

21 8. Defendant's First Supplemental Disclosures dated November 14, 2024.

22 **II. Discovery that Remains to Be Completed.**

23 Plaintiffs are reviewing Defendant's responses to Plaintiffs' interrogatories and requests for
24 productions. For the reasons explained below, the Parties will need additional time to meet and confer
25 with Defendant regarding these discovery answers before submitting an amended complaint and

1 continuing discovery, which will include depositions and, potentially, expert discovery.

2 **III. Specific Description of Why an Extension Is Necessary.**

3 The Parties seek a 30-day extension for the current discovery deadlines in the Discovery Plan
4 and Scheduling Order [ECF No. 54]. The Parties acknowledge that a showing of good cause is
5 necessary for any modifications to a scheduling order within 21 days of a deadline being modified.
6 Local Rule 26-3. The Parties assert that good cause exists for a few reasons.

7 First, Plaintiffs submitted 82 requests in their First Set of Requests for Production and 9
8 interrogatories in their First Set of Interrogatories. Defendants' counsel requested additional time to
9 complete their discovery responses, which Plaintiffs' counsel agreed to as a professional courtesy.
10 After reviewing Defendants' responses, Plaintiffs' counsel determined that a meet and confer will be
11 necessary to discuss potential disputes. However, due to the holiday season and Plaintiffs' counsels
12 other professional obligations, including multiple filing deadlines before the Nevada Supreme Court
13 and multiple mediations to resolve matters pending before the United States District Court for the
14 State of Nevada, Plaintiffs' counsel needs more time to finalize their review of the discovery
15 responses, provide opposing counsel with the specific objections that Plaintiffs dispute, and arrange
16 time for the parties to meet and confer.

17 Second, Plaintiffs are finalizing a proposed amended complaint (1) adding a new party with
18 claims legally identical to Plaintiff Summers and (2) clarifying the factual and legal basis for the
19 existing claims raised by Plaintiff Summers. While it is Plaintiffs' understanding that they may file
20 an amended complaint without consulting with opposing counsel, it is also Plaintiffs' understanding
21 that this Court prefers that the parties attempt to resolve any disputes before resorting to motion
22 practice even under circumstances where a meet-and-confer is not required, including motions to
23 amend. *See Int'l Mkts. Live, Inc. v. Imonite*, No. 2:22-cv-01863-GMN-BNW, 2023 U.S. Dist. LEXIS
24 123144, at *6 (D. Nev. July 17, 2023) ("Plaintiff refiled the motion shortly after removal on
25 November 22, 2022, *not realizing that the Court preferred parties to meet-and-confer before filing a*

motion to amend.” (emphasis added)). For the same scheduling reasons identified above, the parties are requesting additional time to review the proposed amendments and meet-and-confer if necessary.

Plaintiffs believe that these reasons establish good cause for extending the current deadlines and offer the following proposed schedule for completing all deadlines.

IV. Proposed Schedule for Completing All Remaining Deadlines

	Current Deadline	[Proposed] New Deadline
Amend Pleadings and Add Parties	December 3, 2024	January 2, 2025
Initial Expert Disclosures	January 2, 2025	February 1, 2025
Rebuttal Expert Disclosures	February 3, 2025	March 5, 2025
Discovery Cut-Off	March 3, 2025	April 2, 2025
Dispositive Motions	April 2, 2025	May 2, 2025
Pretrial Order	May 2, 2025 (If dispositive motions are filed, the deadline shall be suspended until thirty (30) days after the decision of the dispositive motions or further order of the Court.)	June 2, 2025 ¹ (If dispositive motions are filed, the deadline shall be suspended until thirty (30) days after the decision of the dispositive motions or further order of the Court.)

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¹ As 30 days from May 2, 2025, is a Sunday, June 1, 2025, the next date is June 2, 2025.

Based on the foregoing stipulation and proposed deadlines plan, the Parties request that the Discovery Plan and Scheduling Order deadlines be extended an additional 30 days.

IT IS SO STIPULATED

DATED: November 26, 2024

CLARK COUNTY

/s/ Joel K. Browning

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IT IS SO ORDERED:


UNITED STATES MAGISTRATE JUDGE

DATED: November 27, 2024